

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JE* D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 04-20131-B

RONNIE PERKINS,

Defendant.

ORDER DENYING NOTICE OF APPEAL TO THE DISTRICT COURT AND ORDER
REFERRING TO THE MAGISTRATE JUDGE DEFENDANT'S REQUEST FOR
"CONFLICT-FREE" COUNSEL


Before the Court is Defendant's notice of appeal to the District Court of the Western District of Tennessee at Memphis from a judgment entered by the District Court. However, if Perkins wishes to appeal from an order of this Court, he must appeal to the Sixth Circuit Court of Appeals. Thus, because an appeal to this Court is not proper, Defendant's notice of appeal must be denied.¹

In his notice, Defendant also requests "conflict-free" counsel. Defendant's "motion" is hereby referred to the United States Magistrate Judge for determination. Any objections to the magistrate judge's order shall be made in writing within ten (10) days after service of the order, setting forth particularly those portions of the order objected to and the reasons for the objections. See 28 U.S.C. § 636(b)(1). Failure to timely assign as error a defect in the magistrate judge's order will constitute a waiver of that objection.

¹ To the extent that Defendant's notice of appeal may be construed as a request for reconsideration, that request is also DENIED.

Accordingly, Defendant's notice of appeal is DENIED and his request for a "conflict-free" counsel is REFERRED to the magistrate judge for determination.

IT IS SO ORDERED this 25th day of August, 2005.



J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 80 in case 2:04-CR-20131 was distributed by fax, mail, or direct printing on August 26, 2005 to the parties listed.

Bruce I. Griffey
THE HARDISON LAW FIRM- Memphis
119 S. Main St.
Ste. 300
Memphis, TN 38103

Camille Reese McMullen
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Ronnie Perkins
FCI-MEMPHIS
19679076
P.O. Box 34550
Memphis, TN 38138--055

Michael Robert McCusker
U.S. ATTORNEY'S OFFICE- Memphis
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable J. Breen
US DISTRICT COURT